December 30, 1775. THE NUMBER 503.

VIRGINIA GAZETTE.

OPEN TO ALL PARTIES, BUT INFLUENCED BY NONE.

PUBLISHED EVERY WEDNESDAY AND SATURDAY BY JOHN PINKNEY.

IN CONGRESS, DECEMBER 6, 1775.

WE, the delegates of the thirteen united colonies in North America, have taken into our moſt ſerious conſideration a proclamation iſſued from the court of Saint James's on the 23d day of Auguſt laſt. The name of majeſty is uſed to give it a ſanction and influence, and, on that account, it becomes a matter of importance to wipe off, in the name of the people of theſe united colonies, the aſperſions which it is calculated to throw upon our cauſe, and to prevent, as far as poſſible, the undeſerved puniſhments which it is deſigned to prepare for our friends.

We are accuſed of "forgetting the allegiance which we "owe to the power that has protected and ſuſtained us." Why all this ambiguity and obſcurity in what ought to be ſo plain and obvious as that he who runs may read it? What allegiance is it that we forget? Allegiance to parliament? We never owed, we never owned it. Allegiance to our king? Our words have ever avowed it, our conduct has ever been conſiſtent with it. We condemn, and with arms in our hands, a reſource which freemen will never part with; we oppoſe the claim and exerciſe of unconſtitutional powers, to which neither the crown or parliament were ever entitled. By the Britiſh conſtitution, our beſt inheritance, rights, as well as duties, deſcend upon us: We cannot violate the latter by defending the former. We ſhould act in diametrical oppoſition to both if we permitted the claims of the Britiſh parliament to be eſtabliſhed, and the meaſures purſued in conſequence of thoſe claims to be carried into execution among us. Our ſagacious anceſtors provided mounds againſt the inundation of tyranny and lawleſs power on one ſide, as well as that of faction and licentiouſneſs on the other. On which ſide has the breach been made? Is it objected againſt us by the moſt inveterate and the moſt uncandid of our enemies that we have oppoſed any of the juſt prerogatives of the crown, or any legal exertion of thoſe prerogatives? Why then are we accuſed of forgetting our allegiance? We have performed our duty; we have reſiſted in thoſe caſes in which the right to reſiſt is ſtipulated as expreſſly on our part as the right to govern is, in other caſes, ſtipulated on the part of the crown. The breach of allegiance is removed from our reſiſtance as far as tyranny is removed from legal government.

It is alledged that "we have proceeded to an open and "avowed rebellion." In what does this rebellion conſiſt? It is thus deſcribed: "Arraying ourſelves in hoſtile manner "to withſtand the execution of the law, and traiterouſly "preparing, ordering, and levying, war againſt the king." We know of no laws binding upon us but ſuch as have been tranſmitted to us by our anceſtors, and ſuch as have been conſented to by ourſelves, or our repreſentatives elected for that purpoſe. What laws, ſtamped with theſe characters, have we withſtood? We have, indeed, defended them, and we will riſk every thing, do every thing, and ſuffer every thing, in their defence. To ſupport our laws, and our liberties eſtabliſhed by our laws, we have prepared, ordered, and levied war; but is this traiterouſly, or againſt the king? We view him as the conſtitution repreſents him. That tells us he can do no wrong. The cruel and illegal attacks which we oppoſe have no foundation in the royal authority. We will not, on our part, loſe the diſtinction between the king and his miniſters. Happy would it have been for ſome former princes had it been always preſerved on the part of the crown.

Beſides all this, we obſerve, on this part of the proclamation, that *rebellion* is a term undefined and unknown in the law. It might have been expected that a proclamation, which, by the Britiſh conſtitution, has no other operation than merely that of enforcing what is already law, would have had a known legal baſis to have reſted upon. A correſpondence between the inhabitants of Great Britain and their brethren in America produced, in better times, much ſatisfaction to individuals, and much advantage to the public. By what criterion ſhall one, who is unwilling to break off this correſpondence, and is, at the ſame time, anxious not to expoſe himſelf to the dreadful conſequences threatened in this proclamation, by what criterion ſhall he regulate his conduct? He is admoniſhed not to carry on correſpondence with the perſons now in rebellion in the colonies. How ſhall he aſcertain who are in rebellion and who are not? He conſults the law to learn the nature of the ſuppoſed crime: The law is ſilent upon the ſubject. This, in a country where it has been often ſaid, and formerly with juſtice, that the government is by law, and not by men, might render him perfectly eaſy. But proclamations have been ſometimes dangerous engines in the hands of thoſe in power. Information is commanded to be given to one of the ſecretaries of ſtate of all perſons "who ſhall be found carrying on correſpondence with the perſons in rebellion, in order to bring to condign puniſhment, the authors, perpetrators, or abettors, of ſuch dangerous deſigns." Let us ſuppoſe, for a moment, that ſome perſons in the colonies are in rebellion, and that thoſe who carry on correſpondence with them might learn, by ſome rule, which Britons are bound to know, how to diſcriminate them, does it follow that all correſpondence with them deſerves to be puniſhed? It might have been intended to appriſe them of their danger, and to reclaim them from their crimes. By what law does a correſpondence with a criminal transfer or communicate his guilt? We know that thoſe who aid and adhere to the king's enemies, and thoſe who correſpond with them in order to enable them to carry their deſigns into effect, are criminal in the eye of the law; but the law goes no farther. Can proclamations, according to the principles of reaſon and juſtice, and the conſtitution, go farther than the law?

But perhaps the principles of reaſon and juſtice and the conſtitution will not prevail; experience ſuggeſts to us the

doubt. If they ſhould not, we muſt reſort to arguments drawn from a very different ſource. We, therefore, in the name of the people of theſe united colonies, and by authority, according to the pureſt maxims of repreſentation derived from them, declare that whatever puniſhment ſhall be inflicted upon any perſons in the power of our enemies for favouring, aiding, or abetting, the cauſe of American liberty, ſhall be retaliated in the ſame kind and the ſame degree upon thoſe in our power, who have favoured, aided, or abetted, or ſhall favour, aid, or abet, the ſyſtem of miniſterial oppreſſion. The eſſential difference between our cauſe and that of our enemies might juſtify a ſeverer puniſhment. The law of retaliation will unqueſtionably warrant one equally ſevere.

We mean not, however, by this declaration, to occaſion or to multiply puniſhments; our ſole view is to prevent them. In this unhappy and unnatural controverſy, in which Britons fight againſt Britons, and the deſcendants of Britons, let the calamities immediately incident to a civil war ſuffice. We hope additions will not, from wantonneſs, be made to them on one ſide; we ſhall regret the neceſſity, if laid under the neceſſity, of making them on the other.

CHARLES THOMSON, ſecretary.

MR. PINKNEY,

IT is with pain that I have lately heard, in many companies, the men of a particular nation abuſed without diſtinction. Becauſe ſome low-born factors amongſt them have been baſe and ungrateful enough to turn againſt the country which has afforded them the bleſſing next to exiſtence, their ſupport, every man, however amiable in his character, however active in his endeavours to defend and preſerve the liberties of mankind, whom the Divine Providence allotted to draw his firſt breath in Scotland, is doomed to cruel ſuſpicion, deemed unworthy of the ſmalleſt truſt or confidence, and loaded often with obloquy and reproach. Is this the behaviour of a generous people ſtruggling for liberty? Is it not rather the characteriſtic of a ſelfiſh, narrow-ſpirited people, whoſe minds were never expanded to comprehend the great and chriſtian principles of univerſal charity and benevolence? Heaven, ſurely, has not been ſo partial in its diſpenſations as to deny to any country or clime the virtues which it grants to others; and though particular circumſtances may obſcure, or ſometimes in a great meaſure deſtroy them, yet the proper cultivation will always produce the ſame natural effects. A Scottiſh breaſt is a ſoil equally favourable to the growth of liberal ſentiments with that of an American, and many of our own countrymen, educated amongſt them, fully demonſtrate that their mode of education is by no means calculated to curb the generous purpoſe. Why then is the cruel ſtigma of enemies to American freedom univerſally fixed upon them? Since they are not inimical to liberty, either by nature or education, and ſince numbers of them have invariably ſhewn themſelves friends, and warm ones, too, to our glorious cauſe (for has not Mercer, has not Muter, has not Leech, in oppoſition to their intereſt, ſtepped forth in our ſervice) there muſt be ſome political motive for endeavouring, by ſuch an ungenerous treatment, to turn them againſt us. Is it becauſe our preſent enemies are not ſtrong enough for us to contend with that we are trying to encreaſe their ſtrength? We ſcorn to like a conteſt with adverſaries ſo weak as the inhabitants of Great Britain. To exalt the glory of our might, we wiſh to match our ſtrength againſt all the force ſhe can produce and we can prevail upon to join her. But let us proceed no farther with ſo abſurd a ſuppoſition; and yet, abſurd as it is, nothing elſe can be inferred from our illiberal conduct towards the Scotch, unleſs it be that we ſelfiſhly graſp at places, to which their merit as men, even in our own opinions, entitles them. But let no ſuch views as theſe ſway our worthy delegates in their preſent deliberations and appointments. However ſome of our countrymen may be infected with the leaven of envy, malice, and detraction, they, I truſt, are actuated by far different principles. As the repreſentatives of a great people, ſtruggling to retain their freedom, they will exclude every thing ſelfiſh and narrow; they will, for their own and their country's ſake, cheriſh and promote merit wherever it may be found, and grant preferment to no one, however connected by country, blood, or friendſhip, who has not a title to it. By thus acting, they will prove themſelves the true and faithful guardians of American liberty, and I cannot ſuppoſe them capable of a contrary conduct, a conduct which would ſhew its author, whatever rank he might hold, to be the worſt of traitors.

AN AMERICAN.

MR. PINKNEY,

TO remove any unfavourable impreſſion which they who are unacquainted with me might receive from your publication of the 23d inſtant, ſigned Thomas Snead, and to expoſe a piece of baſe ingratitude, I deſire you will publiſh the following narrative of facts, which are uncontrovertible. On Thurſday, the 14th inſtant, I was informed a veſſel from the Eaſtern Shore had been that day brought to by our centries at York, having a quantity of rum on board, for which Mr. Snead aſked ſix ſhillings per gallon, declaring it was old rum. Notwithſtanding that article was much wanted in York, he could find no one who would give ſuch an extravagant price; upon which he proceeded to Williamſburg, in hopes, from the ſcarcity of that commodity, to get more than he was authorized to aſk, as colonel Henry can teſtify, who has his certificate of the great age of his rum, and an account of the amount of it, and who, from his known candour and integrity, I doubt not, will ſatisfy any one inclinable to be acquainted with it. Repeated accounts of this illegal proceeding being mentioned in my preſence, I thought it my duty, as *a ſervant of the country, and not as acting under the crown*, for I have nothing to do with the crown, my office not relating to it in the ſmalleſt degree, to go and ſee if that rum was legally imported, and the duty paid to the country, which I had great reaſon, from various circumſtances, to believe was not, as Mr. Snead declared at York he ſhould not have ſtopped, had he not been brought to by the centries. The Sunday following, the 17th, I went to Williamſburg to ſee if he had landed his rum, and to prevent the inhabitants from paying him for it till the matter was ſettled. This I publicly declared on board the veſſel. Finding, however, he had landed no rum, I went on board, and, upon aſking ſome queſtions about the rum, the captain ſeemed much diſconcerted, but very ſoon told me Mr. Snead had a certificate of the rum being legally imported; and very ſoon Mr. Snead appeared in ſight, with Mr. Southall, Mr. Lewis, Mr. Goodſon, I believe, and ſeveral other gentlemen of the town. On Mr. Snead's coming on board, I aſked him if he had a certificate of his rum being legally imported: He ſaid he had, and very ſoon produced one (ſuch a one as it is) without a date, and by ſome has been ſuſpected to be

forged. However bad as it appeared, in the preſence of all theſe gentlemen, I told him I was very glad to ſee he had it, which I vow to God is the truth; and moreover, that his rum, I believed, was ſafe, but that he muſt bring his veſſel to York again, and take out a permit to load it, which I had a right to inſiſt on. Mr. Snead and the captain both begged hard, and pleaded ignorance; upon which I took Mr. Snead and Mr. Southall on ſhore, and as ſoon as we landed on the beach, I told Mr. Snead that he might land it in the morning, as ſoon as he pleaſed, provided he would come to York for a permit for ſo doing, it being out of my power to give him one there, they being ſigned by the collector and comptroller, which the law requires. Upon the beach I told Mr. Snead, in the preſence of Mr. Southall, for the trouble he had given me, and the indulgence ſhewn him, in not obliging him to return with his veſſel back to York, the leaſt he could do would be to treat me with my dinner and club at Mr. Southall's, to which Mr. Southall replied, to be ſure he would, and ought to be very much obliged to me; ſo we parted; and how they came to foiſt in the horſes I cannot conceive. But Mr. Southall's charging the man with a permit for many days after Mr. Snead had paid it to me is ſtill more extraordinary. Any one may plainly ſee the malice here intended, but Mr. Southall, I have no doubt, will publicly diſavow ſuch a charge in his account. Had I been diſpoſed to take an advantage of this ungrateful man, I knew his rum would have been landed in the morning, when he would have loſt it all. I thank my ſtars my reputation is not to be ſullied with any thing Mr. Snead, or his amanuenſis, can ſay of me. Whether Mr. Snead, by publiſhing ſo many glaring falſhoods is, or I for complying with my duty as a ſervant of the public, am moſt deſerving of a halter, let the world determine.

MATTHEW POPE.

Mr. PINKNEY,

THAT they who are in reality guilty of actions unfriendly to the liberties of America ſhould be held up to public contempt and deteſtation is, I am ſtrongly of opinion, very proper, if not abſolutely neceſſary: But that officers ſhould be ſtigmatized for doing what the duty of their office requires; an office which the laws of the country, not only tolerate, but render neceſſary, and this too under the ſacred pretext of zeal for the freedom of the country. This is ſuch an inſult upon common ſenſe, ſuch an abuſe of our glorious cauſe, that, did not the inſignificancy of Thomas Snead occur to our minds, patience with ſuch behaviour would be almoſt a crime. If we were to judge of doctor Pope, even from Thomas Snead's publication, the opinion that muſt be formed would be that doctor Pope was a faithful ſervant to the country, and an indulgent officer to ignorant traders and craftſmen, or ſkippers; and of Thomas Snead, we would think, that he was willing to take advantage of theſe diſtracted times, that he was inſenſible of obligations, and inſtead of being unfriendly to doctor Pope, moſt unfriendly to himſelf. But doctor Pope's character, I mean his political one, does not depend on any ſingle tranſaction, which malice or anger may wiſh to miſrepreſent. In a public part of the country, known to many of the principal men in the colony, he could find many who would vouch for him that, though not a *neutral*, his conduct has been unexceptionable.

NO PSEUDO--PATRIOT.

WILLIAMSBURG.

WE have juſt received an account of the taking 14 whites, and 2 ſlaves, which were on board a tender ſent out, as it is thought, to plunder the inhabitants on the ſeaboard, and to pick up ſuch other baſe wretches as might be found to join in this accurſed trade, as they had 8 ſtand of ſpare arms, beſides other military ſtores, on board. On Friday the 22d inſtant advice was received at Hampton that the tender was at anchor between the lighthouſe point and the mouth of York river. Captain Alexander, with 12 privates of his rifle company, lieutenant Colmiſe and enſign Holder, as volunteers, together with 6 other gentlemen volunteers from the Muſquetto, were detached, under the command of the afore-mentioned officer, who found the tender at anchor, as had been reported. The party continued reconnoitreing the coaſt till about day-light, notwithſtanding the great ſeverity of the weather. In the courſe of the night, which was exceedingly tempeſtuous, ſhe cut her cable, and drifted on ſhore, when the crew left her, and betook themſelves to flight. The party proceeded to examine, and after purſuing ſome diſtance, found the crew, whom they took, and brought to Hampton. On further examining the veſſel, which could only be done by wading, as the ſtorm continued, and the breakers were ſo violent, that thoſe in the attempt were frequently beat off their feet. Twenty four ſtand of arms, ſome new regimentals, and ſome other particulars, were found on board.

The following glorious news, received by the laſt northern poſt, may be depended upon: "New York, December 11. Saturday night arrived here, from our army in Canada, lieutenant Norton, of colonel Clinton's regiment, Mr. Bean, gunner, and Mr. Phineas Champman, who bring us the agreeable news that all the ſhipping that lay at Montreal has fallen into the hands of general Montgomery, among them the Gaſpee brig of war, with all the priſoners (colonel Allen excepted) lately taken near St. John's. The fleet with governor Carleton on board had failed for Quebec, but was intercepted by a gondola, and a battery erected by colonel Eaſton, near the river Sorell, and there taken, with about 150 ſoldiers, &c. among them colonel Preſcot, &c. who were arrived at Ticonderoga, a few days ago, on their way to Connecticut; that Carleton, Luke La Corn, and two others, went off in a boat from the fleet before it ſtruck, but were taken priſoners by colonel Arnold, near Quebec; that general Wooſter was left to command at Montreal, and general Montgomery was gone to aſſiſt colonel Arnold to ſecure Quebec."

Another paragraph, under the ſame head, ſays: "Yeſterday afternoon captain Brown arrived here, in a ſloop from Providence, and aſſures us that 5 veſſels have been taken by our privateers within theſe few days, and carried into Beverly; one of them a ſchooner from the eaſtward with ſtock, another a Scotch veſſel with goods, the third a brig from Newfouudland, with the governor and his ſecretary, &c. the other two unknown."

Under the Newport head of December 4 is the following article: "Ten thouſand minute-men ſtand ready to come in for the protection of this iſland, on the ſhorteſt notice, 5000 of whom can be landed on the iſland in 24 hours, and the other in 24 more."

Wedneſday evening laſt, ſays a paragraph from Providence, dated December 2, the gunner and 7 ſeamen deſerted from an armed ſchooner at Newport. The captain and lieutenent ſoon after ventured on Rome's wharf, in ſearch

of them, and were made priſoners by a party from head quarters on the iſland. The captain is ſon to the earl of Stanhope, and is the identical villain who lately robbed a houſe on Prudence, in violation of the agreement made by captain Wallace with the town of Newport.

Colonel Howe, we underſtand, has taken upwards of 50 tories in and about Norfolk, whom he intends ſending to this city.

A remarkable inſtance of lord Dunmore's humanity. A ſhip from Cameron, in North Briton, with about 250 Highlanders, conſiſting of men, women and children, was bound to Newbern, in North Carolina, but forced, by bad weather, and other accidents, to put into Norfolk, in this colony. Lord Dunmore, whoſe troops had a few days before been defeated in the battle at the Great Bridge, forced theſe poor people on ſhore, ſeized their ſhip for accommodating his tory friends, who after the battle fled from Norfolk on board the ſhips, and other veſſels, lying in the harbour, and left his other countrymen, with their wives and children, to periſh, for want of ſubſiſtance, in a ſtrange land. In this wretched condition, they petitioned colonel Woodford to take them under his protection. This petition was tranſmitted by that brave officer to the general convention, ſitting at Williamſburg, who immediately gave orders that the colonel ſhould take them under his protection, relieve their immediate wants, and afford them all neceſſary aſſiſtance, to conduct them to North Carolina, the place of their firſt deſtination. In conſequence of theſe orders, colonel Woodford ſent the Highlanders in waggons, under a proper eſcort, to Suffolk, from whence, by order of the committee of ſafety, they are to be conducted to North Carolina, agreeable to the order of the convention. The committee of ſafety of this colony have wrote to the committee of ſafety of North Carolina, informing them of the diſtreſſes of theſe poor people, occaſioned by lord Dunmore's cruel treatment, and requeſting them to give directions for their relief and accommodation, till they ſhall arrive among their friends in that province, amongſt whom they intended to ſettle. Lord Dunmore had forced about 160 of theſe unfortunate people into his ſervice; but upon being informed of the humane intention of this colony, they deſerted him, and joined their wives and children, except two maidens, who were detained as bedmakers to his lordſhip.

Notwithſtanding the convention had a return from colonel Woodford after the battle of the Great Bridge, from which, beſides from the colonel's own declaration in his letter to them, it appeared that not one of our men was killed, and but one ſlightly wounded, and add to theſe convincing proofs of the truth of this, we have ſeen officers of veracity that were in the action, who declare the ſame thing; yet we hear that it was reported in Norfolk that we loſt 50 men; and we have pretty good reaſon to believe that lord Dunmore has propagated a report amongſt the few tories now left in his intereſt that 50 of the grenadiers, of the 14th regiment, had fallen into an ambuſcade of 1200 rebels, that they fought bravely, killed 150 rebels, and retreated, leaving behind them 33 killed and wounded; that their loſs was heavy, but that they ſold their lives dearly; that the ſhirtmen have nothing to boaſt of, having with difficulty forced the 17 ſurviving grenadiers to retreat, although they had 50 to 1. We may therefore expect when the news of this affair arrives in England that lord Dartmouth will publiſh lord Dunmore's letter, which will probably contain a more *rational* account, and may be to this effect: That finding the *rebels* had cloſely beſieged a fort he had built to obſtruct their paſſage to Norfolk, that a large reinforcement was daily expected by them from Carolina, and that they were procuring cannon, he thought it beſt to attack them before they could receive ſuch aſſiſtance, eſpecially as he was informed by a deſerter that they were but 300, that he found that a favourable opportunity, having juſt preſſed into his ſervice ſome Scotch Highlanders, who had come over to ſettle in America, and this circumſtance giving riſe to a report, which he had taken care to propagate, that he had received a reinforcement of 500 Highlanders, he thought it adviſeable to make an attack as ſoon as poſſible; that he ordered captain Leſlie, with a company of eight infantry, and captain Fordyce, with his company of grenadiers of the 14th regiment, to take with them all the volunteers and ſlaves that were well armed, to march in the night of the 8th of December to the fort, and to ſally out by day-break, and attack the *rebels*; that captain Leſlie did ſo, but being in a great meaſure deſerted by the ſlaves and ſeveral of the volunteers, for they could not be prevailed upon to advance, and the *rebels* having near three times the number he had been informed they had, and behaving, indeed, on that occaſion, with more reſolution than they ever had done, and captain Fordyce and the advanced grenadiers being cut off by the rifle-men, and captain Leſlie being unable to rally the negroes, who could not ſtand the ſevere fire from hundreds of markſmen, retreated into the fort, and that night abandoned it; that he, finding the people of Norfolk were not to be relied on, in caſe of an attack, thought it prudent to retire to the ſhips, and wait for a reinforcement, which he hourly expected. Some ſuch account as this we may expect to ſee in ſome future Engliſh paper, unleſs this anticipation of it ſhould happen to be read or re publiſhed in England before their lordſhips have patched up their ſtory.

It is currently reported that a ſhip has been taken by our privateers to the northward, carrying 20,000 guineas to Boſton.

The laſt accounts from Norfolk were dated the 25th inſtant, when the Liverpool, with the Otter Kingfiſher, their tenders, and lord Dunmore's ſhips the Kilbeck and William, were lying before the town with ſprings on their cables. The captain of the Liverpool had very *decently* demanded a ſupply of proviſions, which was *decently* refuſed by colonels Howe and Woodford. The expreſs ſays that he heard cannon all day Wedneſday and Thurſday, and ſuppoſes that that had occaſioned a cannonade. An inceſſant firing has been heard by many people from that quarter.

Lord Dunmore, we hear, is ſadly tormented with a violent *head-ach* and *palpitation* at the *heart*.

Thurſday being the anniverſary of St. John the baptiſt, the Cabin Point Royal Arch Lodge of free maſons met, according to cuſtom, and walked to church in proceſſion, in mourning, in honour of Peyton Randolph, eſquire, late grand maſter of Virginia, being the only tribute of applauſe the lodge had in their power to pay to the exalted memory of this great man, the friend of maſonry and of his country, the pattern of benevolence and the ſocial duties.

Intelligence is juſt come to town that we have taken a tender at Hampton, on board of which was Mr. Goodrich. It ſeems he is very valuable.

Several pieces and advertiſements are omitted for want of room. We hope our cuſtomers will excuſe us for publiſhing but one paper this week, as nothing but the *ſeaſon of the year* was the cauſe, and not any *neglect* in the printer.